

Exhibit A

**PLAINTIFF MAGNACROSS LLC'S PROPOSED CLAIM
CONSTRUCTIONS AND SUPPORTING CITATIONS**

Pursuant to Patent Rule 4-3 and the Docket Control Order, Plaintiff Magnacross LLC ("Magnacross") submits the following table containing Magnacross's proposed constructions of disputed claim terms in U.S. Patent Nos. 6,917,304 ("the '304 patent") ("the patent-in-suit"), together with an identification of supporting intrinsic and extrinsic evidence currently known to Magnacross on which it intends to rely. In view of the Federal Circuit's precedent regarding the relevance of the claims, specification, and prosecution history to claim construction, Magnacross reserves the right to rely on the language of the claims of the patent-in-suit, the entire specification of the patent-in-suit, the prosecution history of the patent-in-suit, all prior art references cited in the prosecution of the application that led to the patent-in-suit, and expert testimony. Similarly, Magnacross reserves the right to rely on and cite to additional intrinsic and extrinsic evidence to rebut and respond to evidence submitted by Defendants, including but not limited to expert testimony. Magnacross also reserves the right to rely on any intrinsic or extrinsic evidence identified by Defendants in support of their proposed constructions, as well as any evidence obtained through claim construction discovery.

MAGNACROSS'S PROPOSED CLAIM CONSTRUCTIONS OF DISPUTED TERMS IN U.S. PATENT NO. 6,917,304**I. Claim Terms Proposed Only By Magnacross**

TERMS PROPOSED BY BOTH MAGNACROSS		
Disputed Claim Term, Phrase or Clause	Magnacross's Proposed Claim Construction	Evidence
"data sensors" (claims 1 and 12)	"sensors that may transmit raw data for subsequent processing or may incorporate some degree of primary data processing whereby the data received at the main processor is partially or totally pre-processed, or raw data"	'304 patent: Col. 1:23-29; col. 2:5-13, 60-64; col. 3:12-18; col. 4:6-22, 46-55; col. 6:42-50; col. 7:1-8, 30-45; col. 7:59 – col. 8:35; col. 8:51 – col. 10:3.

II. Claim Terms Proposed Only By Defendants

TERMS PROPOSED ONLY BY DEFENDANTS		
Disputed Claim Term, Phrase or Clause	Magnacross's Proposed Claim Construction	Evidence
Preamble (whether limiting or not limiting) ["1. A method... data processing means" (1st 3 lines of claim 1); "12. Apparatus... data processing means," (1st 3 lines of claim 12)]	Magnacross does not believe that this term needs to be construed and that the preamble is not a limitation.	'304 patent: col. 7:30-45; col. 8:20-35.
"allocating data from said local data sensors to respective ones or groups of said sub-channels in accordance with the data carrying capacities of said sub-channels" / "allocation of data from said local data sensors to respective ones or	Magnacross does not believe that this term needs to be construed; plain and ordinary meaning.	'304 patent: col. 2:27-36; col. 2:65 – col. 3:18; col. 3:28-35; col. 5:53-64; col. 7:30-45, 54-58; col. 8:20-35, 46-50. Appl. Ser. No. 09/402,262 at Amendment dated Dec. 14, 2004 at MAG000036-37; Notice of Allowability at MAG000023-24.

TERMS PROPOSED ONLY BY DEFENDANTS		
Disputed Claim Term, Phrase or Clause	Magnacross's Proposed Claim Construction	Evidence
groups of said sub-channels in accordance with...data rate requirements from said local sensors" (claims 1 and 12)		
"control means" (claim 12)	<p>Claim term is not governed by 35 U.S.C. §112(6) because there is a sufficient algorithm disclosed in the claim.</p> <p>If the term is found to be governed by 35 U.S.C. §112(6), the structure is a "computer, microprocessor, or circuit designed or programmed to allocate data from sensors to sub-channels such that data from sensors with higher data rate requirements are allocated to sub-channels with higher data rate capacities and data from sensors with lower data rates requirements are allocated to sub-channels with lower data rate capacities."</p>	'304 patent: Col. 3:28-35, 44-58; col. 4:64-col. 5:1-4; col. 5:9-12, 15-17, 22-34, 38-42; col. 6:1-40; col. 7:30-45; col. 8:20-35, 46-50; Figs. 2, 4.
"data processing means" (claims 1 and 12)	Magnacross does not believe that this term needs to be construed; plain and ordinary meaning; the term is in the preamble and is not a limitation.	'304 patent: col. 1:23-36, 51-54; col. 4:41-45, 56-60; col. 5:9-13, 15-17, 53-55; col. 6:1-25, 41-46; col. 7:30-45, 54-58, 63-64; col. 8:20-35, 46-53; Figs. 1-5.
data rate... "differing substantially" / "substantially different" data rate (claims 1 and 12)	Magnacross does not believe that this term needs to be construed; plain and ordinary meaning.	'304 patent: col. 2:27-36; col. 2:65 – col. 3:35; col. 3:63-67; col. 5:22-27, 53-64; col. 6:11-15, 26-35, 51-57; col. 7:30-45; col. 8:20-35, 46-50.

TERMS PROPOSED ONLY BY DEFENDANTS		
Disputed Claim Term, Phrase or Clause	Magnacross's Proposed Claim Construction	Evidence
"division of said [communications] channel into sub-channels" (claims 1 and 12)	Magnacross does not believe that this term needs to be construed; plain and ordinary meaning. The term is not in means-plus-function form.	'304 patent: col 2:27-36, 52-54; col. 2:65 – col. 3:8; col. 3:19-62; col. 5:22-46, 53-64; col. 6:3-15, 26-57; col. 7:30-53; col. 8:20-45; Figs. 2-5. Appl. Ser. No. 09/402,262 at Amendment dated Dec. 14, 2004 at MAG000036-37; Notice of Allowability at MAG000023-24.
"said local sensors" / "said local data sensors" (claims 1 and 12)	Magnacross does not believe that this term needs to be construed; plain and ordinary meaning.	'304 patent: col. 1:4-10, 15-18, 23-29; col. 2:1-13; col. 3:2-11; col. 4:10-13, 36-45; col. 6:64 – col. 7:8; col. 7:30-45, 59-62; col. 8:20-35; Figs. 2-6
"channel" / "communications channel" (claims 1 and 12)	Magnacross does not believe that this term needs to be construed; plain and ordinary meaning.	'304 patent: col. 2:5-10, 21-26; col. 2:65 – col. 3:2; col. 3:36-43; col. 4:41-45; col. 5:1-4, 22-27, 43-46; col. 7:23-28, 30-45; col. 8:20-35; Fig. 1. Appl. Ser. No. 09/402,262 at Amendment dated Dec. 14, 2004 at MAG000036-37; Notice of Allowability at MAG000023-24.
"sub-channel" (claims 1 and 12)	Magnacross does not believe that this term needs to be construed; plain and ordinary meaning.	'304 patent: col 2:27-36, 52-54; col. 2:65 – col. 3:8; col. 3:19-62; col. 5:22-46, 53-64; col. 6:3-15, 26-57; col. 7:30-53; col. 8:20-45; Figs. 2-5. Appl. Ser. No. 09/402,262 at Amendment dated Dec. 14, 2004 at MAG000036-37; Notice of Allowability at MAG000023-24.

TERMS PROPOSED ONLY BY DEFENDANTS		
Disputed Claim Term, Phrase or Clause	Magnacross's Proposed Claim Construction	Evidence
"whereby the data carrying capacities of said sub-channels are unequal" (claims 1 and 12)	Magnacross does not believe that this term needs to be construed; plain and ordinary meaning.	'304 patent: col. 2:27-36; col. 2:65 – col. 3:35; col. 3:63-67; col. 5:22-27, 53-64; col. 6:11-15, 26-35, 51-57; col. 7:30-45; col. 8:20-35, 46-50. Appl. Ser. No. 09/402,262 at Amendment dated Dec. 14, 2004 at MAG000036-37; Notice of Allowability at MAG000023-24.

III. Claim Terms Proposed Only By Defendant ASUS Computer International, AT&T Mobility LLC, BLU Products, Inc. Cellco Partnership d/b/a Verizon Wireless, Sprint Spectrum L.P., MSI Computer Corp., and T-Mobile USA, Inc.

TERMS PROPOSED ONLY BY DEFENDANTS ASUS COMPUTER INTERNATIONAL, AT&T MOBILITY LLC, CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS, SPRINT SPECTRUM L.P., MSI COMPUTER CORP., AND T-MOBILE USA, INC.		
Disputed Claim Term, Phrase or Clause	Magnacross's Proposed Claim Construction	Evidence
"transmitter adapted to transmit said data through said sub-channels accordingly" (claim 12)/ "transmitting said data from said data sensors through said sub-channels accordingly"	Magnacross does not believe that this term needs to be construed; plain and ordinary meaning.	'304 patent: col. 1:23-29, 37-40; col. 1:57 – col. 2:13; col. 4:30-35, col. 4:56 - col. 5:9; col. 5:35-37; col. 6:7-11, 46-50; col. 7:5-10, 30-45; col. 8:20-35; Fig. 2, 4. Appl. Ser. No. 09/402,262 at Amendment dated Dec. 14, 2004 at MAG000036-37; Notice of Allowability at MAG000023-24.
transmit/transmission	Magnacross does not believe that this term needs to be construed; plain and ordinary meaning.	'304 patent: col. 1:23-29, 37-40; col. 1:57 – col. 2:13; col. 4:30-35, col. 4:56 - col. 5:9; col. 5:35-37; col. 6:7-11, 46-50; col. 7:5-10, 30-45; col. 8:20-35; Fig. 2, 4.

IV. Claim Terms Proposed Only By Defendant YiFang

TERMS PROPOSED ONLY BY DEFENDANTS YIFANG		
Disputed Claim Term, Phrase or Clause	Magnacross's Proposed Claim Construction	Evidence
"multiplexer" (claims 1 and 12)	Magnacross does not believe that this term needs to be construed; plain and ordinary meaning.	<p>'304 patent: col. 2:52-54; col. 2:65 – col. 3:2; col. 3:28-62; col. 4:26-35; col. 5:43 - col. 6:16; col. 6:36-40; col. 7:30-45; col. 8:20-45; Figs. 1-5.</p> <p>Appl. Ser. No. 09/402,262 at Amendment dated Dec. 14, 2004 at MAG000036-37; Notice of Allowability at MAG000023-24.</p>